

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Alain DELACHE et al.

Serial Number: Not yet assigned      Group Art Unit: Unassigned

Filed: September 8, 2004      Examiner: Unassigned

For: APPARATUS TO ASSIST A PATIENT'S BREATHING WITH A  
VARIABLE RAMP PERIOD TO RISE TO TREATMENT PRESSURE

**INFORMATION DISCLOSURE STATEMENT**  
**PURSUANT TO 37 CFR 1.97(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

September 8, 2004

The attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached Form PTO-1449. One copy of each non-U.S. patent document is attached. Copies of U.S. patent documents are not being submitted in accordance with the Commissioner's Notice, "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications Filed After June 30, 2003" (July 11, 2003).

The listed documents marked with an asterisk were cited in the search report for the corresponding International Application. A copy of the PCT search report is attached, and satisfies the concise explanation requirement for the listed non-English language document because the search report (1) is in English and (2)

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PATENT

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indicates the degree of relevance found by the International Searching Authority.

The attention of the Patent Office is drawn to the fact that patent applications which may be directed to related technical matter were filed concurrently as U.S. national stage applications of PCT/IB03/01392 and PCT/IB03/01403. This identification is not to be construed as a waiver of secrecy as to the cited applications now or upon publication of the present application. The Examiner is respectfully requested to consider the cited applications and the art cited therein during examination of this application.

No fee or certification is required in connection with this Information Disclosure Statement, since it is being submitted prior to the last of (1) issuance of a first official action on the merits and (2) expiration of the three month period following filing of the above-captioned application. Nevertheless, the Commissioner is authorized to charge our Deposit Account No. 50-1258 for any fee which is deemed by the Patent and Trademark Office

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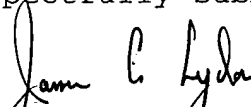
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PATENT

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to be required to effect consideration of this statement. Two  
copies of this authorization are attached.

Respectfully submitted,



James C. Lydon  
Reg. No. 30,082

Atty. Case No. BONN-120  
100 Daingerfield Road, Ste 100  
Alexandria, Virginia 22314  
Telephone: (703) 838-0445  
Attachments:  
Form PTO-1449;  
7 Documents; and  
Search Report

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FORM PTO-1449  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. <b>BONN-120</b>	Not yet assigned
<b>LIST OF REFERENCES CITED BY APPLICANT</b>  <i>(Use several sheets if necessary)</i>		
APPLICANT Alain DELACHE et al.		FILING DATE September 8, 2004
GROUP Unassigned		

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA	2002/0000228	1/3/2002	Schoeb	128	204.19	
	AB	2002/0014239	2/7/2002	Chalvignac	128	18	
	AC	*5,245,995	9/21/1993	Sullivan et al.	128	204.23	
	AD	*5,503,146	4/2/1996	Froehlich et al.	128	204.23	
	AE	*5,970,975	10/26/1999	Estes et al.	128	204.23	
	AF	5,977,737	11/2/1999	Labriola, II	318	599	

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION		
							YES	NO	PART.
	AG	WO 92/11054	7/9/1992	W.I.P.O.					
	AH	WO 98/57691	12/28/1998	W.I.P.O.					
	AI	WO 02/026305	4/4/2002	W.I.P.O.					
	AJ	WO 02/53217	7/11/2002	W.I.P.O.					
	AK	EP 0 821 976	2/4/1998	E.P.O.					
	AL	EP 1 166 813	1/2/2002	E.P.O.					
	AM	EP 1 177 810	2/6/2002	E.P.O.					

**OTHER REFERENCES** *(Including Author, Title, Date, Pertinent Pages, Etc.)*

	AN	
	AO	

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	